

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 17, 2011**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:13 A.M. on November 17, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:**

Joyce A. Hahn, PhD, APRN, NEA-BC; Vice President
Louise D. Hartz, Citizen Member
Jeanne Holmes, Citizen Member
Patricia C. Lane, RN, BSN
Trula Minton, MS, RN
Karen K. Schultz, PhD, MBA, Citizen Member

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC; Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Krystal Blanton, Senior Discipline Specialist

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General
Students from George Washington University Registered Nurse Program;
Bluestone Practical Nurse Program; and Bluestone Nurse Aide Program

**ESTABLISHMENT OF
A QUORUM:**

With six members of the Board present, a quorum was established.

FORMAL HEARINGS:

Stephanie W. Jordan, RN 0001-170522

Ms. Jordan appeared, accompanied by her recovery coach, Marjorie Yates

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Ann Hardy, Senior Investigator, Department of Health Professions; Marjorie Yates, Recovery Coach; and Valerie Bester, CEO, Pro Nurses, Inc. were present and testified.

CLOSED MEETING:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:00 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Jordan. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:20 A.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lane moved that the Board of Nursing indefinitely suspend the registered nurse license of Stephanie Jordan, stay said suspension contingent upon proof of entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Shemeka Jennings, CNA 1401-140404

Ms. Jennings appeared.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Aletha Martin, CNA; and Desira Gay, CNA were present and testified. Kristin Wills, CNA testified by telephone.

CLOSED MEETING:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:30 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Jennings. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 12:54 P.M.

Ms. Holmes moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Hartz moved that the Board of Nursing issue an order of reprimand and further revoke the certificate of Shemeka Jennings and enter a finding of abuse against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS:

The Board recessed at 12:55 P.M.

RECONVENTION:

The Board reconvened at 1:30 P.M.

FORMAL HEARINGS:

Terri L. Brown, RN Reinstatement Applicant 0001-123524

Ms. Brown appeared, accompanied by Janine Rumberger, LCSW.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; Rebecca Britt, Case Manager, Health Practitioners Monitoring Program; and Janine Rumberger, LCSW were present and testified.

CLOSED MEETING:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:16 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Brown. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:24 P.M.

Ms. Minton moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Dr. Schultz moved that the Board of Nursing approve the application for reinstatement of the registered nurse license of Terri Brown contingent upon her

continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 2:25 P.M.

RECONVENTION: The Board reconvened at 2:30 P.M.

FORMAL HEARINGS: **Julie J. Cooper, RN Reinstatement Applicant 0001-202144**
Ms. Cooper appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; and Rebecca Britt, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cooper. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:14 P.M.

Ms. Minton moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Dr. Schultz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Holmes moved that the Board of Nursing approve the application for reinstatement of the registered nurse license of Julie Cooper and further, indefinitely suspend the license, stay said suspension contingent upon her continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 3:15 P.M.

RECONVENTION: The Board reconvened at 3:20 P.M.

FORMAL HEARINGS: **Elsabet Woldemariam, LPN 0002-079543**
Ms. Woldemariam appeared, represented by attorney, James DeVita.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Naima Fellers, Senior Investigator, Department of Health Professions; Greg McCain, Pharmacist and General Manager, Williams Pharmacy; and Jacqueline Holloman, daughter of Resident A were present and testified.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:20 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Woldemariam. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 5:50 P.M.

Ms. Minton moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Dr. Schultz moved that the Board of Nursing issue an order to place the practical nurse license of Elsabet Woldemariam on indefinite probation with terms for a period of not less than two years of active employment as a practical nurse. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 5:56 P.M.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director